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5 Lisa McMahon-Myhran
6 Robinson Tait, P.S.
7 710 Second Avenue, Suite 710
8 Seattle, WA 98104
9 Phone: (206) 676-9640

The Honorable Paul B. Snyder
Chapter: 7
Hearing: June 2, 2009
1:00 PM
Location: Vancouver Federal Bldg,
500 W 12th, Vancouver, WA
Response Date: May 26, 2009

FILED
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MAY 28 2009

MARK L. HATCOCK
CLERK U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA DEPUTY

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

11 In Re:

12 KENNETH PAUL SKEELS and
13 ELEANOR DIANA SKEELS,
14

15 Debtors.

BANKRUPTCY NO. 09-40133-PBS

CHAPTER NO. 7

ORDER FOR RELIEF FROM AUTOMATIC
STAY AND ABANDONMENT

16
17 THIS MATTER, coming on regularly before the undersigned Bankruptcy Judge upon Motion of
18 EverHome Mortgage Company and its successors and assigns, (hereinafter "Movant"), by its attorneys
19 Robinson Tait, P.S., for an Order terminating the automatic stay of lien enforcement under Bankruptcy
20 Code § 362 as it affects Movant and permitting Movant to proceed to enforce its lien against that parcel
21 of real property described as follows:
22

23 LOT 123, OF GLENAIRE UNIT 2, ACCORDING TO THE PLAT OF RECORD IN
24 THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY,
25 ARIZONA, RECORDED IN BOOK 154 OF MAPS, PAGE 48 AND AFFIDAVIT OF
26 CORRECTION AND CLARIFICATION RECORDED IN DOCKET 10297, PAGE 252,
27
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ORDER FOR RELIEF FROM AUTOMATIC
STAY AND ABANDONMENT - 1

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Law Offices
ROBINSON TAIT, P.S.

710 Second Avenue, Suite 710
Seattle, Washington 98104

1 commonly known as 3973 W Hearn Rd, Phoenix, AZ 85053, and the Court finding that the interest of
2 Movant is not adequately protected and that no objections or exceptions have been served or filed to
3 Movant's motion for relief and that the property is not necessary for an effective reorganization;

4 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay of lien
5 enforcement, including the co-debtor stay, if any, is terminated as to any actions in the foreclosure of its
6 collateral as it affects Movant, the Trustee, and the Successor Trustee of its Deed of Trust.
7

8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the property is hereby
9 deemed abandoned by the Chapter 7 Trustee and bankruptcy estate;

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this order shall be effective
11 immediately notwithstanding provisions of Federal Rules of Bankruptcy Procedure, Rule 4001(a)(3)
12 providing otherwise and this order shall apply to and be binding in any bankruptcy proceeding to which
13 this proceeding is converted and that this order shall remain in full force and effect regardless of any
14 subsequently amended or confirmed plan;
15

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may, at its option,
17 offer, provide and enter into any potential forbearance agreement, loan modification, refinance
18 agreement or other workout/loss mitigation agreement and to contact the Debtor via telephone or written
19 correspondence to offer such an agreement, which shall be non-recourse unless included in a
20 reaffirmation agreement.
21

22 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant, the Trustee and the
23 Successor Trustee (if applicable) of the Deed of Trust are authorized to commence or continue an action
24
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1 against said real property pursuant to the laws of the State of Arizona, including but not limited to
2 judicial and/or nonjudicial foreclosure, deed in lieu and eviction, if necessary.

3 DONE this ____ day of _____, 2009.
4
5

6 _____
The Honorable Paul B. Snyder
7

8 Presented by:
9

10 /s/ Lisa McMahon-Myhran
11 Lisa McMahon-Myhran, 27559
12 ROBINSON TAIT, P.S.
13 Attorneys for EverHome Mortgage Company
and its successors and assigns
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ORDER FOR RELIEF FROM AUTOMATIC
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